



**MCDOWELL SONORAN PRESERVE COMMISSION
7506 E. INDIAN SCHOOL ROAD
COMMUNITY DESIGN STUDIO - NAVE
SCOTTSDALE, ARIZONA 85251
THURSDAY, JULY 5, 2007**

MEETING MINUTES

PRESENT:

Art DeCabooter, Chair
Erik Filsinger, Vice-Chair
Melinda Gulick, Commissioner
Rand Hubbell, Commissioner
Gerry Miller, Commissioner
Arnold Roy, Commissioner
Tom Silverman, Commissioner
Linda Whitehead, Commissioner

ABSENT:

Joan Fudala, Commissioner
Virginia Korte, Commissioner
Solange Whitehead, Commissioner

STAFF PRESENT:

Bob Cafarella, Director
Don Meserve, Preservation Planner
Claire Miller, MSP Manager
Paula Novacheck, Accounting Manager
Teresa Huish, Principal Transportation Planner

ALSO PRESENT:

Carla, Citizen Conservation Advocate
Ruthie Carll, MSC, Managing Director
Dan Gruber
B.J. Heggli

1. CALL TO ORDER AND INTRODUCTIONS

Chairman DeCabooter called the meeting to order at 5:03 p.m.

A roll call and introductions indicated members and guests present as stated above.

2. **Approval of June 7, 2007 Meeting Minutes**

COMMISSIONER GULICK MOVED TO APPROVE THE MINUTES OF THE JUNE 7, 2007 MCDOWELL SONORAN PRESERVE COMMISSION MEETING. COMMISSIONER SILVERMAN SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF EIGHT (8) TO ZERO (0).

3. **Clear/Simple Mechanism for Making Private Donations to Preservation Program**

Commissioner Linda Whitehead discussed the possibility of establishing an alternate source of funding for the acquisition of Preserve land and the construction of access area amenities. There should be a simple mechanism to encourage private cash donations directly to the Preserve effort, and to facilitate arrangements made through personal estates.

Ms. Novachek reported that in 2002, the Preserve trust fund was closed due to a change in accounting guidelines. The remaining money was transferred into the Preserve's capital improvement projects fund. She said a mechanism could be established to solicit funds for the Preserve, however donations would have to comply with administrative regulations concerning the solicitation of gifts.

Commissioner Gulick noted that the McDowell Sonoran Conservancy currently has \$187,000 in reserve funds available for land acquisition and access areas enhancements.

Commissioner Linda Whitehead asked the Commission to discuss whether the Conservancy's existing mechanism was adequate, or should an additional source be created.

Vice-Chair Filsinger questioned whether one option would be more attractive to potential donors than the other.

Commissioner Linda Whitehead said a City-established fund could generate a decent amount of money over time, were it properly promoted.

Commissioner Miller said the correct approach would vary, depending on the order of magnitude of the proposed goal.

Commissioner Gulick noted that the Conservancy holds 501(c)(3) status, which might make a difference from a donor's perspective, particularly when it comes to estate planning. She opined that it would not be in the Preserve's best interest to duplicate the Conservancy's efforts.

Chair DeCabooter said no mechanism currently exists to allow private donations to the Preserve in concert with the City. He recommended exploring the possibility of making this option available for citizens. It would not be competing with the Conservancy.

Mr. Cafarella said private donations have fallen off since a public funding source was established for land acquisitions.

Commissioner Hubbell said if such a fund was created, solicitation efforts should extend beyond Scottsdale.

Commissioner Gulick reminded the Commission that the Friends of the McDowell Sonoran Conservancy is a resource that exists already, and can be tapped.

Chair DeCabooter asked the staff to prepare a report comparing the benefits and drawbacks of establishing such a fund.

4. **State Land Reform Approach**

Carla said discussions have begun to determine a course of action for the next legislative session.

5. **McDowell Sonoran Conservancy Activities**

Ms. Carll said volunteers were present at every access area over the Fourth of July holiday. Only one incident was reported. A bicyclist tried to enter the Preserve with a handgun, but was talked out of doing so by the volunteers. No fireworks entered the Preserve.

There is an article in Mountain Lines about the YES (Year-End Success) endowment gift campaign. The endowment more than doubled with a single gift.

The MSC is in the process of reorganizing its internal structure. Each Commissioner will be contacted individually to discuss how the City's needs could be better served by a new structure.

6. **DDC Task Force Activities**

Commissioner Silverman said the Arizona Community Foundation has received nearly all of the \$39,500 in private funds that were committed to the DDC study.

Mr. Cafarella said the RFP has been released and the deadline for submissions is August 2. The DDC task force will review the RFP applications with the intent of making a recommendation to Council following the summer break, in either late August or early September.

7. **City Activities Potentially Affecting the Preserve**

Commissioner Linda Whitehead noted that on two occasions in the last 18 months, attempts were made to divert Preserve resources elsewhere. A proposal was made to divert Lost Dog Wash funds to cover cost overruns at the Granite Reef Senior Center. Additionally, it was proposed that Scott Hamilton be moved from the Preservation Department into the Transportation Department.

The role of the MSPC is to make recommendations to the City Council on such items as preservation strategy, funding and acquisitions, educational and promotional programs, master planning and other Preserve related issues. Commissioner Linda Whitehead said that it falls

within the Commission's purview to comment on these diversion attempts. The Commission should be an advocate for the resources the Preservation Department relies upon to meet the objectives of Scottsdale's citizens.

Chair DeCabooter suggested that a letter could be sent to the City Council drawing attention to the issue and expressing the Commission's dissatisfaction with the attempted diversions.

Commissioner Gulick suggested that a small group of Commissioners be established to monitor emerging issues.

Commissioner Linda Whitehead said some of the issues happen within a very short timeframe, providing no notification and little time to formally respond. She concurred with Chair DeCabooter that a letter is necessary.

Commissioner Miller said the Preserve is affected by issues that arise outside Scottsdale, and suggested that the Commission play a larger advocacy role in general.

Chair DeCabooter said the MSPC did respond following the Lost Dog Wash incident, but another letter could be sent to reinforce the concerns.

COMMISSIONER LINDA WHITEHEAD MOVED TO SEND A LETTER TO THE MAYOR, THE CITY COUNCIL AND THE CITY MANAGER REQUESTING THAT THE MCDOWELL SONORAN PRESERVE COMMISSION BE INVOLVED IN ANY DECISIONS THAT AFFECT THE INTEGRITY OF THE PRESERVE. COMMISSIONER GULICK SECONDED. THE MOTION WAS PASSED UNANIMOUSLY BY A VOTE OF EIGHT (8) TO ZERO (0).

8. Land Bridge Across Dynamite Boulevard

Mr. Cafarella discussed the possibility of constructing a land bridge for animals in the event that Dynamite Road is widened as part of the Transportation Master Plan. Federal funding for a land bridge is available. He asked the Commission to consider whether it should support such an idea.

Carla said language would be included in the TMP saying that the economic and technical feasibility of a land bridge connecting the northern and southern parts of the Preserve be examined at the appropriate time.

Vice-Chair Filsinger said the National Environmental Policy Act (NAPA) has certain requirements for a land bridge, and that the Preserve meets some of the basic criteria. A variety of other mechanisms exist besides the use of a land bridge, such as traffic speed mitigation. Whatever option is used, the objective is to protect connectivity between the two parts of the Preserve.

Commissioner Miller said 128th Street also needs a mechanism for connectivity, since it too divides the Preserve.

COMMISSIONER GULICK MOVED TO KEEP OPEN THE OPTION OF UTILIZING AN APPROPRIATE MECHANISM TO MAINTAIN CONNECTIVITY BETWEEN THE DIVIDED

SECTIONS OF THE MCDOWELL SONORAN PRESERVE. COMMISSIONER SILVERMAN SECONDED. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF EIGHT (8) TO ZERO (0).

Carla said the concept of connectivity should include not only wildlife but the trail system as well.

9. **Planning Committee Activities**

Vice-Chair Filsinger said the Planning Committee is in summer recess, but will resume meeting again in August.

10. **Promotion Committee Activities**

Commissioner Linda Whitehead said the Promotion Committee is working on a multi-tiered approach to educate residents and visitors about the benefits of the Preserve. Residents would be reached through use of monthly water billing inserts. The first inserts, starting in August, will pertain to McDowell Sonoran Month in October.

A new handout describing the various access areas and amenities offered by the Preserve will be distributed to visitors. The CVB will also include Preserve information in their advertisements in the Scottsdale Republic.

The Promotion Committee plans to target Scottsdale residents who never use the Preserve to inform them of the benefits they would still enjoy, such as reduced traffic congestion, improved air quality, water resource management, preservation of the environment, and tax dollars generated by visitors.

There will be a Mayor/Council breakfast on October 18. The Promotion Committee requested that the Chairman update Mayor/Council on the progress that is being made in the Preserve including land acquisitions, newly opened access areas, and usage figures. The Promotion Committee would also like to see regular updates from the Commission to the Council.

COMMISSIONER LINDA WHITEHEAD MOVED TO REQUEST THAT THE CHAIR PROVIDE AN UPDATE ON THE MCDOWELL SONORAN PRESERVE AT THE CITY COUNCIL MEETING IN OCTOBER, AND THAT REGULAR PROGRESS REPORTS ARE PRESENTED QUARTERLY. COMMISSIONER MILLER SECONDED.

Chair DeCabooter suggested that Maricopa Colleges Television (MCTV) would also be a good media outlet for the Promotions Committee to use.

THE MOTION PASSED UNANIMOUSLY BY A VOTE OF EIGHT (8) TO ZERO (0).

11. **Preserve Director's Report**

Mr. Cafarella said the Preserve is gathering all the information required for the municipal use permit for the Gateway project.

He reported that route planning for Tom's Thumb Trail is underway, and construction would begin after January 1. The Conservancy has put together a lecture series at the Via Linda Senior Center on Mondays. He noted that the stewards did an outstanding job patrolling the Preserve on the Fourth of July holiday.

12. **Preserve Manager's Report**

Ms. Miller said the invasive weeds brochure has hit the media. Efforts are underway to get it placed on the City website.

A multi-agency meeting was held last week with Tonto National Forest, the State Land Department, the Maricopa County Sheriff's Office, and Arizona State Parks. Some grant money might be available for law enforcement in the northern state trust lands. The mapping needs of public safety officials were also discussed.

The new, stronger PM-10 dust regulations will affect the northern state trust lands, especially regarding the use of motorized vehicles. On high pollution advisory days, use of off-highway vehicles would be prohibited.

Commissioner Miller said a change is being made in the City policy manual to create a noxious weeds list.

Mr. Meserve said the Arizona State Board on Geographic and Historic Names will review the first ten names submitted for the central part of the Preserve, at their next quarterly meeting on August 29. The names would be voted on in October.

13. **Future Executive Session for McDowell Sonoran Preserve Commission**

COMMISSIONER SILVERMAN MOVED TO HOLD AN EXECUTIVE SESSION ON SEPTEMBER 6, 2007, TO DISCUSS AND CONSULT WITH ROBERT CAFARELLA, THE COMMISSION'S DESIGNATED REPRESENTATIVE, TO CONSIDER THE COMMISSION'S POSITION AND INSTRUCT ITS REPRESENTATIVE WITH RESPECT TO THE PURCHASE, SALE OR LEASE FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE OF REAL PROPERTY LOCATED WITHIN THE RECOMMENDED STUDY BOUNDARY FOR THE MCDOWELL SONORAN PRESERVE, INCLUDING BUT NOT LIMITED TO THE STATE TRUST LAND THAT IS RECLASSIFIED AS SUITABLE FOR CONSERVATION UNDER THE ARIZONA PRESERVE INITIATIVE, AND THE STATE TRUST LAND THAT IS NOT RECLASSIFIED AS SUITABLE FOR CONSERVATION UNDER THE ARIZONA PRESERVE INITIATIVE. ARS 38-431.03 (A) (3) and (A) (7). COMMISSIONER ROY SECONDED. THE MOTION PASSED UNANIMOUSLY BY A VOTE OF EIGHT (8) TO ZERO (0).

14. **Commissioner Comments and Public Comments**

Carla said the City Manager should give the MSPC advanced notice whenever a decision that could have an impact on the Preserve is pending.
She requested that if an advocacy committee is created as Commissioner Gulick suggested to monitor City activities that could affect the Preserve, that the committee not be limited only to Commissioners but also be open to other advocates.

15. **Agenda Items for Future Meetings**

Chair DeCabooter requested that Senator Carolyn Allen be invited to a future meeting.

16. **Adjournment**

With no further business to discuss, the meeting adjourned into executive session at approximately 5:58 pm.

Respectfully submitted,
A/V Tronics, Inc.